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Attorneys for Plaintiff  
JOBY, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JOBY, INC.,

Plaintiff,

v.

TOCAD AMERICA, INC.,

Defendant.

Case No. 3:07-cv-06455-SI

**STIPULATED REQUEST FOR  
CONTINUANCE OF THE SETTLEMENT  
CONFERENCE**

STIPULATED REQUEST FOR CONTINUANCE OF THE SETTLEMENT CONFERENCE  
Case No. 3:07-cv-06455-SI

Pursuant to the Court's Settlement Conference Order entered on May 20, 2008, the parties submit this Stipulated Request for Continuance of the Settlement Conference to accommodate scheduling conflicts. The Court's Order required both lead trial counsel and the parties to be present at the Settlement Conference on June 23, 2008. Lead trial counsel for Defendant Tocad, Mike Warnecke, will be out of the country on June 23, 2008 for previously scheduled engagements. He is scheduled to meet with clients and will be presenting before the IP Business Congress in Amsterdam.

Accordingly, pursuant to Civil L.R. 7-12, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

1) In accordance with the Judge's schedule, the Settlement Conference will be held on Friday July 25, 2008 at 9:30 a.m. in Courtroom C, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102;

2) Settlement Conference Statements shall be lodged by hard copy only with Judge Chen's Chambers by July 11, 2008.

3) All other provisions of the May 20, 2008 Notice of Settlement Conference and Settlement Conference Order remain in effect.

Dated: May 28, 2008

**PERKINS COIE LLP**

By: /s/ Debra R. Bernard  
Debra R. Bernard  
Attorneys for Defendant  
TOCAD AMERICA, INC.

Dated: May 28, 2008

**FENWICK & WEST LLP**

By: /s/ Virginia K. DeMarchi  
Virginia K. DeMarchi  
Attorneys for Plaintiff  
JOBY, INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Hon. Judge Edward M. Chen  
United States Magistrate Judge

**ATTESTATION**

I, Debra R. Bernard, attest that concurrence in the filing of this document has been obtained by Virginia K. DeMarchi, counsel for Plaintiff Joby, Inc.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of May, 2008 in Chicago, Illinois.

\_\_\_\_\_/s/ Debra R. Bernard\_\_\_\_\_  
Debra R. Bernard

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury under the laws of the State of California that, on May 28, 2008, she caused **STIPULATED REQUEST FOR CONTINUANCE OF THE SETTLEMENT CONFERENCE** to be served on the persons listed below in the manner shown:

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Dated at Chicago, Illinois, this 28th day of May, 2008.

\_\_\_\_\_/s/ Debra R. Bernard  
Debra R. Bernard